

## Message Text

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64

ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-07 L-02

NSAE-00 NSC-05 PA-01 RSC-01 PRS-01 SP-02 SS-15

USIA-06 IO-10 NIC-01 ACDA-05 SAJ-01 BIB-01 EB-07 /082 W

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R 091800Z JAN 75

FM USMISSION USBERLIN

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 331

AMEMBASSY BERLIN UNN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY VIENNA

USMISSION NATO

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E.O. 11652: N/A

TAGS: PGOV, PFOR, PBOR, UR, WB, GW, AU

SUBJECT: SOVIET PROTEST EXTENSION TREATIES TO BERLIN

1. SOVIET EMBASSY COUNSELOR RODIN CALLED  
ON BRITISH (CHAIRMAN) POLAD JANUARY 8 TO DELIVER  
FOLLOWING PROTEST ON EXTENSION TO BERLIN OF TREATIES BETWEEN FRG  
AND AUSTRIA ON BORDER MATTERS (SOVIET  
TRANSLATION AS EDITED BY BRITISH): BEGIN TEXT:

RECENTLY THE FRG BUNDESTAG PASSED A LAW ABOUT  
RATIFICATION OF THE -TREATY OF FEB 29, 1972 BETWEEN THE  
FEDERAL REPUBLIC OF GERMANY AND THE AUSTRIAN REPUBLIC ABOUT THE  
STATE BORDER BETWEEN THEM" EARLIER A TREATY BETWEEN THE FRG AND  
AUSTRIA ABOUT FACTORS RESULTING FROM SALZBURG AIRPORT OPERATIONAL  
ACTIVITIES AFFECTING THE FRG TERRITORY" ENTERED INTO  
FORCE. IT IS SUPPOSED TO EXTEND THESE BOTH TREATIES  
TO "LAND BERLIN".

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THE SUBJECT OF THESE TREATIES IS NOT, IN EVEN THE MOST REMOTE WAY, RELATED TO THE WESTERN SECTORS OF BERLIN. BESIDES THIS, TREATY REGULATIONS REFERRING TO STATE BORDERS CANNOT BUT AFFECT QUESTIONS OF STATUS AND SECURITY. IN CONNECTION WITH THE TREATY ABOUT THE OPERATION OF THE AIRPORT IN SALZBURG QUESTIONS OF AIR COMMUNICATION WHICH ARE ALTOGETHER OUT OF THE FRG COMPETENCE AS FAR AS WEST BERLIN IS CONCERNED, ARE ALSO TOUCHED ON. THUS THERE IS NEITHER A PRACTICAL, NOR JUDICIAL NECESSITY FOR THE EXTENTION OF THE ABOVE MENTIONED TREATIES TO THE WESTERN SECOTS OF BERLIN.

IT IS QUITE CLEAR THAT THE EXTENTION OF THESE TREATIES TO WEST BERLIN IS A FURTHER ATTEMPT TO DEMONSTRATE THE UNLAWFUL CLAIMS OF THE FRG ON THE WESTERN SECTORS OF BERLIN, IN BREACH OF THE QUADRIpartite AGREEMENT.

THE SOVIET SIDE WOULD LIKE TO POINT OUT WITH FULL SERIOUSNESS THAT SUCH A LINE PURSUED BY THE FRG CAN SERIOUSLY DAMAGE THE NORMAL FUNCTIONING OF THE QUADRIpartite AGREEMENT. PERSISTENTLY WARNING ABOUT THIS, WE HOPE THAT THE COMPETENT AUTHORITIES OF THE THREE WESTERN POWERS, TAKING INTO ACCOUNT THEIR OBLIGATIONS UNDER THE QUADRIpartite AGREEMENT, WILL UNDERTAKE ALL THE NECESSARY MEASURES IN ORDER TO STOP THIS UNLAWFUL PRACTICE.

IN ADDITION THE SOVIET SIDE ONCE MORE DRAWS THE ATTENTION OF THE AUTHORITIES OF THE THREE POWERS TO THE ILLEGITIMATE USAGE BY THE FEDERAL REPUBLIC OF GERMANY OF THE FORMUAL "LAND BERLIN" WITH REFERENCE TO THE WESTERN SECTORS OF BERLIN, WHICH DO NOT BELONG TO THE FRG. THE SOVIET SIDE STRESSES THAT THE EXTENTION OF INTERNATIONAL TREATIES OF THE FRG TO THE WESTERN SECTORS OF BERLIN UNDER THE FORMUAL "LAND BERLIN" HAS BEEN AND WILL BE REGARDED AS INVALID. END TEXT.

2. BRITISH HAD IMPRESSION SOVIETS MAKING THEIR LIMITED OFFICIAL USE

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PROTEST ON "PRO FORMA" BASIS TO BRING RECORD UP TO DATE. MATTER IS BEING REFERRED TO ALLIED LEGAL ADVISERS AND RECOMMENDATIONS WILL FOLLOW IN DUE COURSE.SELIGMANN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TREATY RATIFICATION, DIPLOMATIC PROTESTS, BOUNDARY CLAIMS  
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**Copy:** SINGLE  
**Draft Date:** 09 JAN 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975USBERL00045  
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**Office:** ACTION EUR  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
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**Subject:** SOVIET PROTEST EXTENSION TREATIES TO BERLIN  
**TAGS:** PGOV, PFOR, PBOR, UR, WB, GE, AU  
**To:** BONN  
**Type:** TE  
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